

JOURNAL OF THE FLORIDA SENATE

Tuesday, May 20, 1975

The Senate was called to order by the President at 9:00 a.m.
A quorum present—40:

Mr. President	Graham	Myers	Stolzenburg
Brantley	Hair	Peterson	Thomas, J.
Childers, D.	Henderson	Plante	Thomas, P.
Childers, W. D.	Holloway	Poston	Tobiassen
Deeb	Johnston	Renick	Trask
Dunn	Lane, D.	Saunders	Vogt
Firestone	Lane, J.	Saylor	Ware
Gallen	Lewis	Scarborough	Wilson
Glisson	MacKay	Sims	Winn
Gordon	McClain	Spicola	Zinkil

Excused: Senators Gordon, Plante, Myers, MacKay and D. Childers periodically for the purpose of working on the Conference Committee Report on CS for SB 165 and CS for SB 169.

Prayer by the Senate Chaplain:

You have instructed us our God that the thoughts of the diligent person tend to produce plenty but every person who is hasty produces want.

So would we be diligent in our work during these days of legislation. Grant us the wisdom not to be hasty lest we, in carelessness, produce want where we desire fruitfulness.

Show us the paths of wisdom and grant us determination to walk therein. Amen.

REPORTS OF COMMITTEES

The Committee on Transportation recommends the following pass: SB 951

The Committee on Natural Resources and Conservation recommends the following pass: SB 1155

The bills contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Transportation recommends the following pass: HB 83 with 1 amendment

The bill was referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass: SB 1001

The Committee on Transportation recommends the following pass: SB 610, SB 1198

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass:

HB 193 with 2 amendments	SB 1133 with 2 amendments
SB 1012	SB 1258 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1078

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 756

The bill with Committee Substitute attached was referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 1280

The bill was placed on the calendar.

The Committee on Natural Resources and Conservation recommends the following not pass:

SB 1008 SB 1093 SB 1119

The Committee on Transportation recommends the following not pass: SB 948

The bills contained in the foregoing reports were laid on the table.

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Tuesday, May 20, 1975:

SB 635	SB 678	SB 294	SB 741
SB 791	SB 721	SB 733	SB 690
SB 251	SB 454	SB 370	HB 1370
SB 749	SB 563	SB 371	HB 545
HB 1147	SB 191	SB 377	HB 541
SB 85	SB 90	SB 950	HB 85
SB 171	SB 558	SB 1131	HB 163
SB 344	SB 16	SB 550	HB 10

Respectfully submitted,
Lew Brantley, Chairman

ENGROSSING REPORT

Your Engrossing Clerk has incorporated amendments to CS for CS for SB 123.

Joe Brown, Secretary

The bill was ordered enrolled.

SUBCOMMITTEE REPORT TO STANDING COMMITTEE

The Public Records Select Subcommittee of the Governmental Operations Committee recommends favorably with committee substitute: SB's 312, 466, 689, 922 and 1218 are combined into a comprehensive committee substitute for recommendation to the standing committee.

The Public Records Select Subcommittee of the Governmental Operations Committee recommends SB 1064 be temporarily passed and remanded to the Select Subcommittee on Public Records for Interim study.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator W. D. Childers, the rules were waived and the Committee on Commerce was granted permission to meet this day from 5:00 p.m. until 10:00 p.m. instead of 8:00 p.m. until 10:00 p.m. as previously scheduled.

On motion by Senator Myers, by two-thirds vote SB 561 was withdrawn from the Committee on Governmental Operations and placed on the calendar.

On motions by Senator Myers, by two-thirds vote Senate Bills 1055, 1142 and 804 were withdrawn from the Committee on Governmental Operations.

REQUESTS FOR EXTENSION OF TIME

The Committee on Governmental Operations requests an extension of 15 days for the consideration of the following:

SB 274 by Senator Brantley	SB 822 by Senator Wilson
SB 288 by Senator Scarborough	SB 825 by Senator W. D. Childers
SB 291 by Senator Sims	SB 835 by Senator Gallen
SB 293 by Senator Sims	SB 838 by Senator Lewis
SB 295 by Senator Henderson	SB 861 by Senator Wilson
SB 495 by Senators Brantley and Henderson	SB 865 by Senator P. Thomas
SB 813 by Senator Wilson	SB 872 by Senator Saunders
	SB 878 by Senator Firestone

SB 882 by Senator P. Thomas
 SB 887 by Senator Scarborough
 SB 888 by Senator Trask
 SB 891 by Senator Gordon
 SB 895 by Senator Myers
 SB 905 by Senator Firestone
 SB 909 by Senator Myers
 SB 910 by Senator Trask

SB 914 by Senator Poston
 SB 921 by Senator P. Thomas
 SB 922 by Senator Lewis
 SB 926 by Senator P. Thomas
 SB 927 by Senator Spicola
 SB 929 by Senator MacKay
 SB 933 by Senator Firestone
 SB 935 by Senator Firestone
 SB 957 by Senator McClain

SB 19
 SB 64

SB 352
 SB 260

SB 122
 SB 339

SB 31
 SB 350

Allen Morris, Clerk

The bills contained in the above message were ordered enrolled.

The Honorable Dempsey J. Barron, President May 16, 1975

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Gallen—

SB 250—A bill to be entitled An act relating to education; amending s.246.201(4), Florida Statutes, 1974 Supplement, exempting certain schools from the law relating to independent postsecondary vocational, technical, trade and business schools; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 30, after the period (.) insert: Section 2. The State Board of Independent Postsecondary Vocational, Technical, Trade and Business Schools is hereby authorized to utilize funds appropriated by the Legislature for the purpose of carrying out the requirements and legislative intent expressed under the provisions of ss.246.201 through 246.231, Florida Statutes, 1974 Supplement.

and renumber the subsequent section

Amendment 2—On page 1, line 30, after the period (.) insert: Section 2. Subsection (1) of section 246.223, Florida Statutes, 1974 Supplement, is amended to read:

246.223 Accredited schools.—

(1) Any independent postsecondary vocational, technical, trade, or business school which is accredited by any of the accreditation agencies herein recognized by the board and any school that has been in continuous existence for 50 years or more under the same ownership or and in operation in the State of Florida 20 years or more whose ownership does not change by virtue of purchase, merger, or structural change after July 1, 1974, including Dale Carnegie Programs shall be deemed to be in substantial compliance with this act by making an initial application for a license and by making an annual report to the board of the name and location of the school, the number of students enrolled, the number of staff members employed, the grade level at which instruction is offered, and the name of the principal, headmaster, or chief administrative officer. Such reports may be made by the school or by the accrediting agency.

and renumber the subsequent section

Amendment 3—On page 1, line 30, after the period (.) insert: Section 2. Section 246.220, Florida Statutes, is created to read:

246.220 Surety bonds or insurance.—surety bonds or insurance shall not be required of any school licensed by the State Board of Independent Postsecondary Vocational, Technical, Trade and Business Schools.

and renumber the subsequent section

Amendment 4—On page 1, line 8, after the semicolon (;) insert: creating s.246.220, Florida Statutes, exempting certain schools from surety bond and insurance requirements;

Amendment 5—On page 1, line 5, after "(4)" insert: and s.246.223(1),

On motions by Senator Gallen, the Senate concurred in House amendments 1 through 5 to SB 250.

The Committee on Judiciary-Civil requests an extension of 15 days for the consideration of the following:

SB 98 by Senator McClain
 SB 170 by Senator Hair
 SB 195 by Senator Gallen
 SB 232 by Senator Gallen
 SB 364 by Senator Hair
 SB 373 by Senator D. Lane
 SB 439 by Senator Poston
 SB 444 by Senator Ware
 SB 534 by Senator Ware
 SB 565 by Senator Vogt
 SB 573 by Senator P. Thomas
 SB 574 by Senator Brantley
 SB 577 by Senator Poston
 SB 590 by Senator Winn

SB 621 by Senator Poston
 SB 640 by Senator P. Thomas
 SB 642 by Senator Winn
 CS/HB 76 by Judiciary Committee
 HB 627 by Representative Redman
 HB 1266 by Commerce Committee
 HB 1268 by Commerce Committee
 HB 1285 by Commerce Committee
 SB 540 by Senator Glisson

The Committee on Rules and Calendar requests an extension of 15 days for the consideration of the following:

HCR 779 by Representative Richmond
 SB 489 by Senator Deeb
 HJR 32 by Representative Richmond
 HJR 324 by Representative Rish
 SJR 547 by Senator Gordon
 SJR 548 by Senators Myers and Spicola
 SB 585 by Senator Trask
 SB 586 by Senator Poston
 SB 587 by Senator Poston
 SB 597 by Senator Johnston
 SB 598 by Senator Johnston
 SB 599 by Senator Johnston
 SB 600 by Senator Trask
 SB 604 by Senator Johnston
 SB 617 by Senator Johnston
 SB 618 by Senator Johnston
 SB 619 by Senator Johnston
 SB 653 by Senator Hair
 SJR 674 by Senator Dunn
 SB 684 by Senators Saunders and Ware
 SJR 110 by Senator Hair
 HJR 185 by Judiciary Committee
 SB 359 by Senator Saylor

CS for SB 359 by Governmental Operations Committee
 SJR 703 by Senator Winn
 HM 1328 by Growth Energy Committee
 CS/HB's 24 & 619 by Health & Rehabilitative Services Committee
 HM 646 by Representative Sackett
 HM 716 by Representatives Nuckolls and Hodges
 HM 906 by Representative Miller
 HM 922 by Representative Johnson
 HM 376 by Representative James
 SJR 729 by Senator MacKay
 SB 730 by Senators Saunders and Ware
 SCR 739 by Senator Gordon
 SJR 790 by Senator Wilson
 SCR 792 by Senator Saylor
 SJR 798 by Senator Dunn
 SB 592 by Senators Myers and Saylor

The Committee on Transportation requests an extension of 15 days for the consideration of the following:

SB 688 by Senator Trask
 SB 834 by Senator J. Thomas
 SB 906 by Senator Poston
 SB 907 by Senator Poston
 SB 934 by Senator Poston
 SB 944 by Senator Spicola
 SB 990 by Senator Poston
 SB 1138 by Transportation Committee
 SB 1182 by Senator Holloway
 SB 1220 by Senator Hair

SB 1277 by Senator J. Thomas
 SB 1278 by Senator Poston
 HB 462 by Transportation Committee
 SB 478 by Senator Wilson
 SB 575 by Senator Lewis
 SB 220 by Senator Gallen
 SB 253 by Senator Peterson
 SB 261 by Transportation Committee
 SB 360 by Senator Zinkil

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Dempsey J. Barron, President May 20, 1975

I am directed to inform the Senate that the House of Representatives has passed—

SB 250 passed as amended by the House amendments, was ordered engrossed and the action of the Senate was certified to the House. The vote on passage was:

Yeas—30

Mr. President	Hair	Renick	Trask
Brantley	Henderson	Saylor	Vogt
Childers, D.	Holloway	Scarborough	Ware
Childers, W. D.	Johnston	Sims	Wilson
Dunn	Lane, D.	Spicola	Winn
Gallen	Lane, J.	Stolzenburg	Zinkil
Gordon	Peterson	Thomas, J.	
Graham	Poston	Thomas, P.	

Nays—None

By unanimous consent Senators Tobiassen, Glisson, Lewis and Myers were recorded as voting yea.

The Honorable Dempsey J. Barron, President May 14, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 1219 HB 1829

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Fontana—

HB 1219—A bill to be entitled An act relating to motor vehicles; amending section 320.33, Florida Statutes, relating to unlawful possession of motor vehicles from which the serial number has been removed; increasing the penalty from a misdemeanor of the second degree to a felony of the third degree; providing an exception; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

By Representative Kutun and others—

HB 1829—A bill to be entitled An act relating to nursing; amending ss.464.011-464.24, Florida Statutes, and creating s.464.122, Florida Statutes; redefining the terms "practice of professional nursing" and "practice of practical nursing"; changing references to "registered nurses" to "registered professional nurses"; increasing membership of the State Board of Nursing and including one public member; deleting certain responsibilities of the Florida State Nurses' Association and the Licensed Practical Nurse Association; providing that no board member shall serve more than two consecutive terms; providing qualifications for board members; providing for an executive director of the board; authorizing the board to require continuing education and to examine nursing records under certain circumstances; providing qualifications for all license applicants; providing for the use of titles associated with professional and practical nursing; providing for persons licensed on the effective date of the act; providing for relicensing of inactive or nonresident nurses; providing requirements for approval of schools of nursing; repealing s.464.20, Florida Statutes, relating to board survey of schools for practical nurses, and combining the provisions of said section with provisions for board survey of schools for licensed professional nurses; providing grounds for discipline; providing for conduct of disciplinary hearings; providing exceptions; providing that any person knowingly employing an unlicensed person or concealing violations shall be in violation of chapter 464; changing penalty from a second degree misdemeanor to a first degree misdemeanor; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Honorable Dempsey J. Barron, President May 14, 1975

I am directed to inform the Senate that the House of Representatives has passed—

HB 379 HB 872

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Barrett—

HB 379—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s.212.11(1), Florida Statutes, requiring the Department of Revenue to accept tax returns from dealers postmarked on or before the 20th day of the month; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Representative Young—

HB 872—A bill to be entitled An act relating to nonpublic educational and training institutions; amending s.246.131, Florida Statutes, prohibiting schools that have not obtained a license or schools that are under an injunction against operating from advertising for students; providing an effective date.

—was read the first time by title and referred to the Committees on Education and Judiciary-Criminal.

The Honorable Dempsey J. Barron, President May 12, 1975

I am directed to inform the Senate that the House of Representatives has passed—

HB 1290 HB 1291

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Melvin—

HB 1290—A bill to be entitled An act relating to authorized state personnel positions; adding subsection (4) to s.216.262, Florida Statutes; prohibiting an agency from employing more than one full-time officer or employee in the same position except as provided by rules of the Department of Administration; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By Representative Melvin—

HB 1291—A bill to be entitled An act relating to the State Career Service System; amending s.110.051(2)(a), (k), Florida Statutes, 1974 Supplement; providing exemptions from the Career Service System for personal secretaries to elected state officials and to certain appointed state employees; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Commerce.

The Honorable Dempsey J. Barron, President May 12, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1325 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hazelton—

HB 1325—A bill to be entitled An act relating to juveniles; amending Subsection (5) of Section 39.11, Florida Statutes, requiring the Division of Youth Services to notify in writing the committing court, prosecuting attorney, and appropriate law enforcement agency prior to the release to the community of a committed youth; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

The Honorable Dempsey J. Barron, President May 12, 1975

I am directed to inform the Senate that the House of Representatives has passed HB 1577 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HB 1577—A bill to be entitled An act relating to saltwater fisheries and conservation; amending s.370.07(3), Florida Statutes, allowing wholesale seafood dealers the option of printing certain required information on their invoices, bills of lading, and other similar instruments, in lieu of obtaining a stamp from the Department of Natural Resources; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Honorable Dempsey J. Barron, President May 12, 1975

I am directed to inform the Senate that the House of Representatives has adopted HCR 2135 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Fontana—

HCR 2135—A concurrent resolution commending the all-Florida team of owner, trainer, and horse, on the victory of Foolish Pleasure in the 101st Kentucky Derby.

—was read the first time in full and referred to the Committee on Rules and Calendar.

The Honorable Dempsey J. Barron, President May 12, 1975

I am directed to inform the Senate that the House of Representatives has passed—

HB 877 **HB 1860**

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Crabtree—

HB 877—A bill to be entitled An act relating to the Florida Law Revision Council; directing the council to study, review, and redraft chapter 711, Florida Statutes, pertaining to condominiums and cooperative apartments; providing for a report to the legislature; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Representative Johnson—

HB 1860—A bill to be entitled An act relating to the State Theater of Florida; amending s.241.68(1), Florida Statutes, providing for a change in the membership of the board of trustees of the theater; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

The Honorable Dempsey J. Barron, President May 12, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended HB 746 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HB 746—A bill to be entitled An act relating to sales and use tax; amending s.212.051, Florida Statutes; exempting from the sales and use tax any facility, structure, device, fixture, materials, equipment, or machinery used primarily for the control or abatement of industrial or manufacturing pollutants; requiring that expenditures for pollution control or abatement facilities or equipment be certified as such by the Department of Pollution Control in order to qualify for the exemption; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Ways and Means.

The Honorable Dempsey J. Barron, President May 13, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended HB 435 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Kutun and others—

HB 435—A bill to be entitled An act relating to medical practice; amending s.458.05(3), Florida Statutes, to provide an alternative to certain license examination requirements for certain graduates of foreign medical schools; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

The Honorable Dempsey J. Barron, President May 13, 1975

I am directed to inform the Senate that the House of Representatives has passed HB 2093 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulated Industries & Licensing—

HB 2093—A bill to be entitled An act relating to alcoholic beverages; amending section 561.42(3), Florida Statutes, by providing that distributors need not report vendors if payment is made during the three-day reporting period; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Honorable Dempsey J. Barron, President May 13, 1975

I am directed to inform the Senate that the House of Representatives has passed—

CS for HB's 188 and 190 **HB 1217** **HB 240**
CS for HB's 868, 1027 and 1159

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Transportation and Representatives Melvin and Hagan—

CS for HB's 188 and 190—A bill to be entitled An act relating to motor vehicles; amending s.316.210(1), F. S., prohibiting certain material on motor vehicle windows; providing a penalty; amending s.320.062(1), F. S., prohibiting the sale of certain motor vehicles whose windows are reflective or in any way nontransparent when viewed from the outside of the vehicle; providing an effective date.

—was read the first time by title and referred to the Committees on Transportation, Judiciary-Criminal and Commerce.

By Representative Richard—

HB 1217—A bill to be entitled An act relating to fraudulent practices; amending subsection (2) of section 817.52, Florida Statutes, changing the penalty for hiring a motor vehicle with intent to defraud from a misdemeanor of the second degree to a felony of the third degree; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

By Representative Avon and others—

HB 240—A bill to be entitled An act relating to general criminal penalties; creating s.775.0845, Florida Statutes, providing that any person convicted of a felony which was committed while such person was on bail shall be sentenced as a subsequent felony offender; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

By the Committee on Criminal Justice and Representative Maxwell and others—

CS for HB's 868, 1027 and 1159—A bill to be entitled An act relating to deputy sheriffs; amending s.30.09(1), Florida Statutes; redesignating subsection (1); creating a new paragraph to s.30.09, Florida Statutes, authorizing county commissions to accept blanket surety bonds for deputy sheriffs; requiring the sheriff's department to bear the cost of such a blanket bond; providing for the liability of sureties; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

The Honorable Dempsey J. Barron, President May 13, 1975

I am directed to inform the Senate that the House of Representatives has passed—

HB 494	CS for HB 708	CS for HB 823
CS for HB 228	HB 491	HB 2013

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Health & Rehabilitative Services and Representative McKnight—

HB 494—A bill to be entitled An act relating to certain practitioners required to register with the department of health and rehabilitative services, division of health, repealing section 381.401, Florida Statutes, 1971; providing for an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By the Committee on Judiciary and Representative Bloom—

CS for HB 708—A bill to be entitled An act relating to the adjudication of traffic infractions; amending ss.318.14(5), 318.18, and 316.026(2) and (3), Florida Statutes, 1974 Supplement; providing a civil penalty for a driver cited for an infraction not requiring a mandatory hearing, which shall be applicable if he elects to have a hearing; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

By the Committee on Health & Rehabilitative Services and Representative J. W. Robinson—

CS for HB 823—A bill to be entitled An act relating to family services; amending s.39.11(2)(d), Florida Statutes, 1974 Supplement, providing that an abandoned child who was placed in a foster home may be placed for adoption if the division cannot locate a parent or relative within one year; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Civil.

By the Committee on Criminal Justice and Representative Gorman and others—

CS for HB 228—A bill to be entitled An act relating to cruelty to animals; creating s.828.073, Florida Statutes, authorizing certain persons to take charge of animals in distress and to go to county court for a hearing on the owner's fitness to have custody of such an animal; providing for service of process to notify owners; providing for the sale at auction of animals in distress under certain circumstances; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Civil.

By the Committee on Health & Rehabilitative Services and Representative McKnight—

HB 491—A bill to be entitled An act relating to the department of health and rehabilitative services, division of mental health; repealing sections 402.01, 402.02, and 402.03, Florida Statutes, abolishing the council on training and research in

mental health in Florida created for the division of mental health; amending s.402.04, Florida Statutes, reflecting the transfer of duties of the council on training and research in mental health in Florida to the advisory council on mental health created for the division of mental health; amending s.402.05, Florida Statutes, to add other disciplines to those eligible for scholarships and/or stipends; amending s.402.07, Florida Statutes, to add new divisions and programs; amending section 402.11, Florida Statutes, to increase the size and expand the duties of the advisory council on mental health; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By the Committee on Health & Rehabilitative Services and Representative Kutun—

HB 2013—A bill to be entitled An act relating to child custody; creating the Uniform Child Custody Jurisdiction Act; providing legislative intent; providing definitions; providing a procedure for determining jurisdiction in child custody cases between states; providing notice requirements; providing a required list of information which parties in a custody proceeding are required to file under oath; requiring the addition of parties to a custody proceeding under certain circumstances; providing for the appearance of any party as well as the child who is the subject of the custody proceeding before the court under certain circumstances; providing for the binding force and res judicata effect of custody decrees; providing for the legal recognition of out-of-state custody decrees and for the filing and enforcement of such decrees; providing for the modification of such decrees; requiring the Clerk of the Circuit Court to keep a registry of out-of-state custody decrees and proceedings and authorizing the clerk to provide certified copies to certain courts and persons; providing for the taking of testimony in another state; providing for hearings and studies in another state as well as orders to appear; requiring courts of this state to render assistance to courts of other states regarding custody proceedings; authorizing the preservation of documents in such proceedings until the child reaches 18 years of age; requiring courts of this state to request court records of other states in custody proceedings; providing for the international application of this act; amending ss.39.06(6) and 61.13(2), Florida Statutes, to conform to the provisions of this act; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Civil.

The Honorable Dempsey J. Barron, President May 13, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 678	CS for HB 1231
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—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Fechtel and Bell—

HB 678—A bill to be entitled An act relating to fresh water fishing; creating s.372.0215, Florida Statutes, to restrict any public agency from stocking fish in certain private ponds; providing exceptions; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By the Committee on Community Affairs and Representative Boyd—

CS for HB 1231—A bill to be entitled An act relating to local government; amending s.171.031(11), Florida Statutes, 1974 Supplement, providing a new definition of "contiguous;" repealing ss.171.04 and 171.0415, Florida Statutes, 1974 Supplement, which provide procedures for extension of municipal territorial limits; creating s.171.0413, Florida Statutes, providing procedures for municipal annexation; amending the introductory paragraph of s.171.042(1), Florida Statutes, 1974 Supplement, providing a proper citation; amending s.171.044(1), Florida Statutes, 1974 Supplement, and adding subsection (4)

thereto, prohibiting the annexation of land which will create a need for certain essential services; providing a proper citation; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Judiciary-Civil.

The Honorable Dempsey J. Barron, President May 13, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 505 HB 2034

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hill and others—

HB 505—A bill to be entitled An act relating to civil liability; providing that, under certain conditions, off-duty law enforcement officers rendering aid at the scene of a crime or during a criminal incident will not be held liable for civil damages; providing a definition; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Civil.

By the Committee on Health & Rehabilitative Services—

HB 2034—A bill to be entitled An act relating to procedures of the Parole and Probation Commission Qualifications Committee; amending section 947.02, F.S., as amended by chapter 74-112, Laws of Florida, providing for the duties and responsibilities of the Parole and Probation Commission Qualifications Committee relating to advertising for and evaluation of applications; authorizing the Governor and Cabinet to reappoint an incumbent member to the commission; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

The Honorable Dempsey J. Barron, President May 13, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1072 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Mixson—

HB 1072—A bill to be entitled An act relating to campaign financing; amending s.106.021(1)(b), Florida Statutes, 1974 Supplement, and adding a paragraph, exempting certain political committees from being required to designate a campaign depository for contributions in the state; adding subsection (8) to s.106.07, Florida Statutes, 1974 Supplement, providing that certain political committees may file a copy of a list of contributions required by federal law with the Secretary of State in lieu of certain information in reports required by state law; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

The Honorable Dempsey J. Barron, President May 13, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1084 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Burrall—

HB 1084—A bill to be entitled An act relating to the Florida Commercial Feed Law; amending s.580.031(4), Florida Statutes; specifying the animals to which the term “commercial feed” applies; amending section 580.051(1) (e), Florida Statutes; providing that the Commissioner by regulation may permit the use of collective terms for ingredients on commercial feed labels for poultry; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Agriculture.

The Honorable Dempsey J. Barron, President May 12, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1232 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Kutun and others—

HB 1232—A bill to be entitled An act relating to adoption; creating the Adoption Revision Act of 1975; amending s.63.022 (2)(b) and (g), Florida Statutes, changing the term “natural parents” to “required persons” with respect to certain safeguards provided by the Legislature concerning adoption; providing that certain social information be filed with the consent to adoption; amending s.63.032(8) and (10), Florida Statutes, redefining the terms “agency” and “placement” with respect to Florida Adoption Law; amending s.63.062, Florida Statutes, providing requirements as to who must consent to an adoption; amending s.63.092(1), and (4), Florida Statutes, providing additional requirements with respect to reports to the Division of Family Services by intermediaries in adoption proceedings and with respect to preliminary studies; creating s.63.097, Florida Statutes, providing that certain fees paid to intermediaries in adoption proceedings must have court approval; amending s.63.112(2), Florida Statutes, requiring that certain documents be filed with the clerk of the court at the time the adoption petition is filed; amending s.63.122(3), (4), and (5), Florida Statutes; providing a list of persons to whom the petitioner in an adoption proceeding must give notice of the hearing; providing that certain investigations with respect to adoption proceedings do not need to be made except upon direction of the court; providing a time limit with respect to required investigation reports; amending s.63.162(4), Florida Statutes, relating to the confidential nature of the identity of adoptive parents or adopted children increasing to 18 years the age at which an adopted child may authorize the disclosure of certain information; amending s.63.172(1)(a), Florida Statutes, relating to the effect of a judgment of adoption, providing that a natural parent who is the spouse of a petitioner shall not be relieved of parental rights and responsibilities; creating s.63.207, Florida Statutes, providing a prohibition on certain out-of-state adoptions; amending s.63.212, Florida Statutes, relating to penalties under the Florida Adoption Law; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary-Civil and Health and Rehabilitative Services.

The Honorable Dempsey J. Barron, President May 15, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended HB 2092 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulated Industries & Licensing—

HB 2092—A bill to be entitled An act relating to distilled spirits containers, amending ss.565.05 and 565.10, Florida Statutes; providing for the sale of distilled spirits in containers of liter measure; providing rule making authority; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Honorable Dempsey J. Barron, President May 15, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 549 HB 564

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Martin—

HB 549—A bill to be entitled An act relating to podiatry; amending s.461.05, Florida Statutes; increasing the membership

of the Board of Podiatry Examiners and providing for staggered terms; increasing the length of term for all board members; limiting terms of membership; eliminating the secretary of the State Board of Medical Examiners as an ex-officio executive officer of the board; deleting the requirement that members of the board be members of the Florida Podiatry Association; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Commerce.

By Representative Fontana—

HB 564—A bill to be entitled An act relating to the beverage law; amending s.561.25, Florida Statutes, relating to the prohibition against law enforcement officers and certain employees engaging in business related to the sale of alcoholic beverages, to provide that such officers and employees may own certain securities which are traded on a major stock exchange; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Honorable Dempsey J. Barron, President May 14, 1975

I am directed to inform the Senate that the House of Representatives has adopted HCR 1962 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Miller and others—

HCR 1962—A concurrent resolution recognizing and saluting the great nation of Israel upon the 27th anniversary of its independence.

—was read the first time in full and referred to the Committee on Rules and Calendar.

The Honorable Dempsey J. Barron, President May 14, 1975

I am directed to inform the Senate that the House of Representatives has adopted HCR 2196 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Blackburn and others—

HCR 2196—A concurrent resolution honoring those law enforcement officers killed in the line of duty in and for the State of Florida.

—was read the first time in full and referred to the Committee on Rules and Calendar.

The Honorable Dempsey J. Barron, President May 14, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended HB 639 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Becker (by request)—

HB 639—A bill to be entitled An act relating to the Division of Beverage; creating s.565.15, Florida Statutes, requiring that persons selling distilled spirits to distributors licensed in Florida file an affirmation with the division that the prices charged are no higher than the lowest prices charged in other states; providing a penalty; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Judiciary-Criminal.

The Honorable Dempsey J. Barron, President May 14, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 1731 **HB 960**

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative J. R. Clark—

HB 1731—A bill to be entitled An act relating to alcoholic beverages; amending Chapter 561, Florida Statutes, to create a new section 561.423, authorizing distributors of beer and malt beverages to provide in store servicing of their products; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Representative Smith—

HB 960—A bill to be entitled An act relating to shoplifting; amending s.811.022, Florida Statutes; changing "shoplifting" to "retail theft"; prohibiting resisting arrest; providing a penalty; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

The Honorable Dempsey J. Barron, President May 14, 1975

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 1322 **HB 1401**

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Fortune—

HB 1322—A bill to be entitled An act relating to drugs and prescriptions; creating s.500.152, Florida Statutes, to control the distribution of complimentary drugs; providing for the disposition of certain unsuitable drugs; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Representative Gallagher and others—

HB 1401—A bill to be entitled An act relating to the Florida Consumer Finance Act; amending s.516.02, Florida Statutes, increasing the amount which licensees may lend; amending s.516.031, Florida Statutes, increasing certain amounts and percentages in the computation of interest rates and providing a method for the computation of interest charges; deleting provisions relating to charges for delinquent accounts; providing for the use of an annual percentage rate for purposes of computing interest; amending s.516.18(1), Florida Statutes, conforming certain provisions to this act; amending s.516.20(2), Florida Statutes, conforming language and increasing the maximum time period for the repayment of loans; amending s.516.21, Florida Statutes, conforming language; deleting provisions relating to husbands and wives; providing an effective and an expiration date.

—was read the first time by title and referred to the Committee on Commerce.

The Honorable Dempsey J. Barron, President May 16, 1975

I am directed to inform the Senate that the House of Representatives has adopted HCR 595 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Nuckolls and Mann—

HCR 595—A concurrent resolution recognizing the exemplary service and accomplishment attained by Vivian T. Hill, Florida Teacher of the Year 1975.

—was read the first time in full and referred to the Committee on Rules and Calendar.

INTRODUCTION

SCR 1352 was introduced out of order and adopted on May 14, 1975.

By Senator Tobiasen—

SB 1353—A bill to be entitled An act relating to the Pensacola-Escambia Governmental Center Authority; providing for a county referendum to determine if the electors are in favor of the Pensacola-Escambia Governmental Center Complex and their preference as to the location of the complex and the proposed judicial building; abolishing the authority by repealing chapters 69-1049, 70-679 and 71-631, Laws of Florida, if the electors are not in favor of the complex; providing that the sites selected by a majority of the voters be the sites of the complex and the proposed judicial building; authorizing the board of county commissioners to accept financing for the election from any individual or group; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Senator Glisson—

SB 1354—A bill to be entitled An act relating to Clay County; providing that one judge of the Fourth Judicial Circuit shall reside in Clay County; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committees on Rules and Calendar and Judiciary-Civil.

By Senators J. Lane, McClain and Spicola—

SB 1355—A bill to be entitled An act relating to Hillsborough County schools; amending sections 8 and 9 of chapter 21287, Laws of Florida, 1941, as amended by chapter 69-1146, Laws of Florida; providing the procedure for discontinuance of employment of teachers; providing conditions for the reduction in future salary or compensation of teachers; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

SPECIAL ORDER

SB 635—A bill to be entitled An act relating to the Florida Retirement System; amending s.121.101(1), (4)-(8), Florida Statutes, 1974 Supplement, and adding a new subsection to said section; providing cost-of-living adjustments to benefits payable to certain beneficiaries receiving benefits from death of a member in the line of duty; providing an effective date.

—was read the second time by title.

The Committee on Ways and Means offered the following amendment which was moved by Senator Henderson and adopted:

Amendment 1—On pages 1 and 2, lines 27 and 31 respectively, strike "(b) or"

On motion by Senator Henderson, by two-thirds vote SB 635 as amended was read the third time by title, passed and ordered engrossed. The vote on passage was:

Yeas—35

Mr. President	Gordon	McClain	Thomas, J.
Brantley	Graham	Peterson	Thomas, P.
Childers, D.	Hair	Poston	Trask
Childers, W. D.	Henderson	Renick	Vogt
Deeb	Holloway	Sayler	Ware
Dunn	Johnston	Scarborough	Wilson
Firestone	Lane, D.	Sims	Winn
Gallen	Lane, J.	Spicola	Zinkil
Glisson	MacKay	Stolzenburg	

Nays—None

By unanimous consent Senators Lewis, Tobiasen and Myers were recorded as voting yea.

On motion by Senator Henderson, the rules were waived and SB 635 was ordered immediately certified to the House after engrossing.

SB 791 was taken up, together with:

By the Committee on Commerce and Senators Ware and Vogt—

CS for SB 791—A bill to be entitled An act relating to the sale of liquefied petroleum gas; amending s.527.06(1), Florida Statutes, and adding a subsection; providing for regulation of the transportation, storage, etc., of liquefied petroleum gas by pipeline; providing for rules; requiring the adoption of certain federal regulations, and certain amendments thereto, within the rules of the Department of Insurance; providing for civil penalties and enforcement; providing for injunction; providing penalties; providing an effective date.

—which was read the first time by title and SB 791 was laid on the table.

On motions by Senator Ware, by two-thirds vote CS for SB 791 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gordon	McClain	Thomas, P.
Brantley	Graham	Poston	Trask
Childers, D.	Hair	Renick	Vogt
Childers, W. D.	Henderson	Sayler	Ware
Deeb	Holloway	Scarborough	Wilson
Dunn	Johnston	Sims	Winn
Firestone	Lane, J.	Spicola	Zinkil
Gallen	Lewis	Stolzenburg	
Glisson	MacKay	Thomas, J.	

Nays—None

By unanimous consent Senators Tobiasen, Myers and Peterson were recorded as voting yea.

SB 251 was taken up, together with:

By the Committee on Commerce and Senator W. D. Childers—

CS for SB 251—A bill to be entitled An act relating to the tax on sales of motor vehicles within this state; amending subsection (2)(a) of s.212.02, Florida Statutes, defining a taxable sale under chapter 212, Florida Statutes, to exclude the transfer of title or possession, or both, exchange, barter, lease or rental, of a motor vehicle to a resident of another state for use and registration in such other state.

—which was read the first time by title and SB 251 was laid on the table.

Senator P. Thomas presiding

On motions by Senator W. D. Childers, by two-thirds vote CS for SB 251 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Brantley	Graham	Poston	Trask
Childers, D.	Hair	Renick	Vogt
Childers, W. D.	Henderson	Sayler	Ware
Deeb	Johnston	Spicola	Wilson
Dunn	Lewis	Stolzenburg	Zinkil
Firestone	McClain	Thomas, J.	
Gallen	Myers	Thomas, P.	
Glisson	Peterson	Tobiasen	

Nays—None

By unanimous consent Senators D. Lane, J. Lane, Holloway and Sims were recorded as voting yea.

On motion by Senator Brantley, the rules were waived and CS for SB 251 was ordered immediately certified to the House.

SB 749—A bill to be entitled An act relating to county government; amending s.125.01(1)(r), Florida Statutes, 1974 Supplement; providing that no referendum is required for the levy by a county of ad valorem taxes for county purposes and for the furnishing of municipal services within any municipal service taxing unit; providing an effective date.

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote SB 749 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Brantley	Hair	Poston	Trask
Childers, D.	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Sayler	Ware
Deeb	Johnston	Scarborough	Wilson
Dunn	Lane, J.	Sims	Winn
Firestone	Lewis	Spicola	Zinkil
Gordon	McClain	Stolzenburg	
Graham	Myers	Thomas, P.	

Nays—4

Gallen	Glisson	Peterson	Tobiassen
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By unanimous consent Senator D. Lane was recorded as voting yea and Senators W. D. Childers and Spicola changed their votes from yea to nay.

HB 1147—A bill to be entitled An act relating to the reclamation of lands disturbed by the severance of solid minerals; adding subsection (8) to s.211.30, and amending ss.211.31(1) 211.32(3), and 211.33(2), Florida Statutes; defining taxable year; clarifying the provision for payment of the expenses of administering part II of chapter 211 from the proceeds of the tax on severance of solid minerals; imposing mandatory reclamation of lands subject to the tax; authorizing the Department of Natural Resources to establish time schedules for the completion of restoration and reclamation programs; providing for land transfers to the state as a part of a restoration and reclamation program rather than in lieu of instituting such a program; eliminating the distinction between sites of severance and other qualified sites for purposes of the limitation on refunds from the land reclamation trust fund; providing for holding back a portion of the land reclamation trust fund until reclamation is complete; providing time limits for the filing of claims for refunds from the land reclamation trust fund; clarifying a taxpayer's right to refunds from the land reclamation trust fund based on costs incurred at any time after the effective date of said part in accomplishing approved restoration and reclamation programs; establishing an annual date for determining the portion of the land reclamation trust fund for which refund claims have not been timely filed and allowed; providing for transfer of funds from the land reclamation trust fund to the division of recreation and parks land acquisition trust fund under certain circumstances; providing for injunctive relief; modifying the information required by the taxpayer's annual return; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was moved by Senator J. Lane:

Amendment 1—On page 9, line 26, after the period, insert: *If a person other than the taxpayer is compelled to reclaim land pursuant to this paragraph (j), then such person shall be entitled to receive the reclamation refunds that would be available to the taxpayer under paragraph (d) above if the taxpayer has performed said reclamation.*

The Committee on Ways and Means offered the following amendment to Amendment 1 which was moved by Senator J. Lane and failed:

Amendment 1A—On line 1 (in insert section), strike word "reclaim" and insert: reclamation and restoration of

Amendment 1 was adopted.

The Committee on Natural Resources and Conservation offered the following amendment which was moved by Senator J. Lane and adopted:

Amendment 2—On page 10, line 26, add a new Section 5 and renumber existing section:

Section 5. Nothing in this act shall be deemed to preempt local ordinances that impose stricter land reclamation standards.

The Committee on Ways and Means offered the following amendment which was moved by Senator J. Lane and adopted:

Amendment 3—On page 3, strike line 12 and insert: *the proceeds of this tax land reclamation trust fund.*

The President presiding

Senator Gordon moved the following amendment which failed:

Amendment 4—On page 2, line 29, strike "5" and insert: 10

Senator Graham moved the following amendment:

Amendment 5—On page 5, strike lines 28, 29, and on page 6 strike lines 1 through 7 and insert: *1. Prior to initiating a reclamation and restoration program for which a taxpayer desires a refund as provided in paragraphs (a) or (b), the taxpayer shall first submit a proposed program to the department of natural resources for a determination that the proposed program meets the criteria adopted by the department for such programs. The department shall make a determination within 60 days of receipt of the proposed program, and thereafter the taxpayer and the department shall enter into a written agreement as to the estimated cost of such program. The taxpayer shall not be entitled to refunds in excess of the agreed-upon estimated cost or fifty (50) percent of the taxes paid by the taxpayer upon the site of severance, whichever is lesser.*

(Renumber subsequent subparagraph)

Senator Trask moved the following amendment to Amendment 5 which was adopted:

Amendment 5A—Line 10, strike "upon the site of severance"

Amendment 5 as amended failed.

Senator Graham moved the following amendment which failed:

Amendment 6—On page 8, lines 5 through 7; page 8, lines 18 through 19 and page 9, lines 9 through 11, strike "department of natural resources division of recreation and parks land acquisition trust fund" and insert: *general revenue fund*

On motion by Senator Saunders the Senate reconsidered the vote by which Amendment 6 failed.

The question recurred on Amendment 6 which was adopted.

Senator Graham moved the following amendments which failed:

Amendment 7—On page 10, between lines 1 and 2, insert: *(4) There shall be a lien in favor of the state upon any site of severance owned by a taxpayer to which has been paid a refund from the land reclamation trust fund. The lien shall be created at the time of the first payment of such a refund, and thereafter the amount of the lien shall be equal to the sum of all refunds paid to the taxpayer for the site of severance after the effective date of this act, plus interest at the rate of six percent (6%) per annum. The lien so created shall be superior to all other liens except liens of taxes pursuant to s.197.056, Florida Statutes, and shall continue in full force until discharged by payment before or at the time of sale of the site of severance.*

Amendment 8—On page 5, strike lines 2-16

Amendment 9—On page 4, lines 19 through 27, page 5, line 1 insert hyphens through the following:

(b) The reclamation and restoration program may include qualified sites other than the site of severance upon which the taxes were paid. The department of natural resources may adopt a list of sites qualifying under this paragraph, which must meet, at the minimum, the following qualifications:

1. The restoration or reclamation of the site and the program to be instituted is in the public interest; and
2. The location of the site is in an area where economic considerations would not be conducive to immediate restoration or reclamation of the site.

Senator Lewis moved the following amendment which was adopted:

Amendment 10—On page 5, strike all of lines 14, 15 and 16 and insert: natural resources, ~~in consultation with the approval~~ of the board of trustees of the internal improvement trust fund, and concurred in after public hearing by said board.

Senator Graham moved the following amendment:

Amendment 11—On pages 10 and 11, strike Section 5 and insert: Section 5. This act shall take effect July 1, 1975.

The amendment failed by the following vote:

Yeas—12

Childers, D.	Gordon	Holloway	Stolzenburg
Firestone	Graham	Johnston	Winn
Glisson	Henderson	Lane, D.	Zinkil

Nays—22

Mr. President	Hair	Poston	Thomas, J.
Brantley	Lane, J.	Renick	Thomas, P.
Childers, W. D.	Lewis	Saunders	Trask
Deeb	McClain	Scarborough	Ware
Dunn	Peterson	Sims	
Gallen	Plante	Spicola	

By unanimous consent Senator Myers was recorded as voting yea.

On motion by Senator J. Lane, by two-thirds vote HB 1147 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Henderson	Poston	Thomas, P.
Brantley	Holloway	Renick	Tobiassen
Childers, D.	Johnston	Saunders	Trask
Childers, W. D.	Lane, D.	Saylor	Vogt
Deeb	Lane, J.	Scarborough	Ware
Dunn	Lewis	Sims	Wilson
Gallen	McClain	Spicola	Winn
Glisson	Peterson	Stolzenburg	Zinkil
Hair	Plante	Thomas, J.	

Nays—3

Firestone	Gordon	Graham
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By unanimous consent Senator Myers was recorded as voting yea.

On motion by Senator Saunders, Rule 2.6 was waived and Subcommittee B of the Committee on Ways and Means was granted permission to meet from 1:00 p.m. to 3:00 p.m. this day to consider the remainder of bills not heard at the 7:00 a.m. meeting this day and judicial certification of judges.

On motion by Senator Saunders, Rule 2.6 was waived and Subcommittee C of the Committee on Ways and Means was granted permission to meet from 2:00 to 3:00 p.m. this day to consider the Governor's supplemental budget recommendation for the Department of Health and Rehabilitative Services.

Senator Saunders announced that the Committee on Ways and Means would meet from 3:00 to 5:00 p.m. this day in lieu of from 2:00 to 5:00 p.m. as scheduled to consider bills on the agenda and the Governor's supplemental budget recommendation for the Department of Health and Rehabilitative Services.

On motion by Senator Gordon, Rule 2.6 was waived and Subcommittee A of the Committee on Ways and Means was granted permission to meet at 2:00 p.m. this day to consider the supplemental budget request from the Comptroller.

Senator Brantley announced that the Committee on Rules and Calendar would meet immediately upon adjournment today.

On motion by Senator Lewis, Rule 2.6 was waived and the Committee on Natural Resources and Conservation was granted permission to meet to take up executive appointments immediately upon adjournment of the Committee on Rules and Calendar.

SB 85—A bill to be entitled An act relating to battery; amending s.784.03, Florida Statutes, 1974 Supplement; providing that a battery against a law enforcement officer, fire fighter, or volunteer fireman acting within the performance of his duties is punishable as a felony; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Criminal offered the following amendments which were moved by Senator Firestone and adopted:

Amendment 1—On page 1, line 19, strike "another" and insert: another

Amendment 2—On page 1, line 31, strike "chapter 775" and insert: s.775.082, s.775.083 or s.775.084

On motion by Senator Firestone, by two-thirds vote SB 85 as amended was read the third time by title, passed and ordered engrossed. The vote on passage was:

Yeas—33

Mr. President	Graham	Plante	Trask
Brantley	Hair	Poston	Vogt
Childers, D.	Henderson	Renick	Ware
Childers, W. D.	Holloway	Scarborough	Wilson
Deeb	Johnston	Sims	Winn
Dunn	Lane, D.	Spicola	Zinkil
Firestone	Lewis	Thomas, J.	
Gallen	Myers	Thomas, P.	
Gordon	Peterson	Tobiassen	

Nays—None

By unanimous consent, Senator Glisson was recorded as voting yea.

SB 171 was taken up, together with:

By the Committee on Transportation and Senators Hair and Renick—

CS for SB 171—A bill to be entitled An act relating to anatomical gifts; amending chapter 736, Florida Statutes, by adding s.736.32 thereto, providing for the distribution of literature and suitable material on anatomical gifts through the separate examining offices of the Division of Driver Licenses, Department of Highway Safety and Motor Vehicles located throughout the state; may provide small plastic or vinyl pouches to be used for the purpose of carrying upon one's person with the driver's license, a uniform organ donor card which designates the gift of all or a part of the person's body conditioned upon the death of the donor whenever a person applies for the issuance, reissuance, or renewal of any driver's license; providing for the promulgation of rules and regulations to implement this act; providing an effective date.

—which was read the first time by title and SB 171 was laid on the table.

On motions by Senator Hair, by two-thirds vote CS for SB 171 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Graham	Plante	Thomas, P.
Brantley	Hair	Poston	Tobiassen
Childers, D.	Henderson	Renick	Trask
Childers, W. D.	Holloway	Saunders	Vogt
Deeb	Johnston	Scarborough	Ware
Dunn	Lewis	Sims	Wilson
Firestone	Myers	Spicola	Winn
Gordon	Peterson	Thomas, J.	Zinkil

Nays—None

By unanimous consent, Senator Glisson was recorded as voting yea.

On motion by Senator Hair, the rules were waived and CS for SB 171 was ordered immediately certified to the House.

SB 344 was taken up and on motion by Senator J. Thomas—

HB 686—A bill to be entitled An act relating to law enforcement officers; amending s.112.531(1), Florida Statutes, 1974 Supplement, exempting police chiefs from the definition of "law enforcement officer" for purposes of certain law enforcement officers' rights relating to disciplinary investigations and actions; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator J. Thomas, by two-thirds vote HB 686 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gordon	Myers	Sims
Brantley	Graham	Peterson	Spicola
Childers, D.	Hair	Plante	Thomas, J.
Deeb	Henderson	Poston	Thomas, P.
Dunn	Holloway	Renick	Trask
Firestone	Johnston	Saunders	Ware
Gallen	Lane, J.	Sayler	Winn
Glisson	Lewis	Scarborough	Zinkil

Nays—4

Childers, W. D. Tobiassen Vogt Wilson

SB 344 was laid on the table.

SB 678—A bill to be entitled An act relating to the Bicentennial Commission of Florida; creating s.13.9978, Florida Statutes; providing commission authority to conduct a program grants-in-aid and to enter into contracts; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote SB 678 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Myers	Thomas, J.
Brantley	Graham	Peterson	Thomas, P.
Childers, D.	Hair	Plante	Tobiassen
Childers, W. D.	Henderson	Poston	Trask
Deeb	Holloway	Renick	Vogt
Dunn	Johnston	Sayler	Ware
Firestone	Lane, J.	Scarborough	Wilson
Gallen	Lewis	Sims	Winn
Glisson	McClain	Spicola	Zinkil

Nays—None

Senator Hair moved that the rules be waived and SB 678 be immediately certified to the House and the motion failed.

SB 721—A bill to be entitled An act relating to saltwater fisheries and conservation; creating ss.370.22, 370.23, Florida Statutes; providing for venue for proceedings; prohibiting sale

of saltwater life unlawfully landed within or without the territorial waters of the state; providing for jurisdiction of the courts; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Civil offered the following amendments which were moved by Senator W. D. Childers and adopted:

Amendment 1—On page 1, strike lines 15-31 and on page 2, strike lines 1-22 and insert: Section 1. Section 370.22, Florida Statutes, is created to read:

370.22 Venue for citizens and residents of Florida charged with violations outside state boundaries.—

(1) In any proceeding against a resident or citizen of the state to enforce the provisions of this chapter with respect to alleged violations occurring beyond the territorial waters of the state, the proper venue shall be the county within the State of Florida nearest the site of the violation.

(2) For the purpose of this section, any person having embarked from or having docked his vessel in a port within this state, who violates any provision of this chapter with respect to the unlawful landing of saltwater life, whether or not outside the territorial waters of the state, shall be considered a citizen of the state for the purpose of subjecting himself to the police powers of the state.

Section 2. Section 370.23, Florida Statutes, is created to read:

370.23 Sale of unlawfully landed product; jurisdiction.—It is unlawful for any person to bring to port, sell, or offer to sell any saltwater life landed in violation of the provisions of this chapter. Any person committing such a violation and docking his vessel at any port in the state, whether or not such product was landed in the territorial waters of the state, shall be deemed to have submitted himself to the jurisdiction of the courts of this state for the purpose of the enforcement of the provisions of this chapter.

Section 3. If any provision of this act, or its application to any person or circumstances is held invalid, the remainder of the act, or the application of any provision thereof to other persons or circumstances is not affected.

Section 4. This act shall take effect July 1, 1975.

Amendment 2—On page 1, strike lines 3-11 in title and insert: A bill to be entitled An act relating to saltwater conservation; creating s.370.22, Florida Statutes; providing for venue for proceedings against a citizen and resident of Florida to enforce the provisions of chapter 370, Florida Statutes, with respect to violations that occur beyond territorial waters of the state; defining "citizen" for purposes of the act; creating s.370.23, Florida Statutes; prohibiting sale of saltwater products unlawfully landed within the territorial waters of the state; providing for jurisdiction of the courts; providing an effective date.

On motion by Senator W. D. Childers, by two-thirds vote SB 721 as amended was read the third time by title, passed and ordered engrossed. The vote on passage was:

Yeas—36

Mr. President	Gordon	Peterson	Thomas, J.
Brantley	Graham	Plante	Thomas, P.
Childers, D.	Hair	Poston	Tobiassen
Childers, W. D.	Henderson	Renick	Trask
Deeb	Holloway	Saunders	Vogt
Dunn	Johnston	Sayler	Ware
Firestone	Lane, J.	Scarborough	Wilson
Gallen	Lewis	Sims	Winn
Glisson	Myers	Spicola	Zinkil

Nays—None

SB 454 was taken up, together with:

By the Committee on Natural Resources and Conservation and Senators Scarborough, Brantley and Hair—

CS for SB 454—A bill to be entitled An act relating to the Internal Improvement Trust Fund; adding s.253.03(9), Florida

Statutes; prohibiting the board of trustees and the state from levying any charge on certain dredged materials under certain circumstances; providing a savings clause for preexisting contracts, agreements or liens and dredging permits; providing an effective date.

—which was read the first time by title and SB 454 was laid on the table.

On motions by Senator Scarborough, by two-thirds vote CS for SB 454 was read the second time by title.

Senator Wilson moved that the rules be waived and SB 749 be immediately certified to the House and the motion failed.

ENGROSSING REPORT

Your Engrossing Clerk has incorporated amendments to SB 635.

Joe Brown, Secretary

The bill was immediately certified to the House.

The Journal of May 19 was corrected and approved.

CO-INTRODUCER

Senator Sims was recorded as a co-introducer of SB 1279.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:02 p.m. to convene at 9:00 a.m. May 21, 1975.